THE FEDERATION OF

MELLERS PRIMARY SCHOOL AND NOTTINGHAM NURSERY SCHOOL

CONFIDENTIAL REPORTING POLICY

'WHISTLEBLOWING PROCEDURE'

March 2026

Schools Whistleblowing procedure
Issued V1 June 2014, reviewed V2 May 2018, reviewed V3 Dec 2019, revised V4 Sept 2020, revised by Audit V5 November 2024

DOCUMENT ORIGINS			
Organisation	Federation of Mellers Primary School and Nottingham Nursery School	Version date	November, 2024
Owner	Lorna Dermody and Joy Buttress	Approved by (If applicable)	FGB
Next review date	March 2027	Approval date	March 2026

DOCUMENT VERSION HISTORY		
Revision date	Author of changes	Summary of changes
March 2026	Joy Buttress	Grammar corrections

CONFIDENTIAL REPORTING CODE (WHISTLE BLOWING PROCEDURE) FOR MAINTAINED SCHOOLS

1. Introduction

1.1 This procedure identifies the kind of complaints covered by the Whistle Blowing Procedure. It outlines who complaints should be raised with and their responsibilities. The procedure also aims to reassure those raising a complaint that they will not suffer detriment.

2. Preamble

2.1 Employees are often the first to realise that there may be something seriously wrong within the school, nursery or local authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. This code encourages employees to raise such concerns using the internal mechanisms set out below.

2.2 The Federation and the local authority are committed to the highest possible standards of openness, probity and accountability. We expect employees, and others that we deal with, who have serious concerns about any aspects of the school, nursery or local authority's work to come forward and voice those concerns.

2.3 This Procedure makes it clear that employees can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The Federation and local authority are committed to support employees who make disclosures. The Whistle Blowing Procedure is intended to encourage and enable employees to raise serious concerns within The Federation or local authority rather than overlooking a problem or 'blowing the whistle' outside.

2.4 The Procedure applies to all employees and those contractors working for The Federation and local authority on their premises, for example, agency staff, builders, drivers etc. It also covers suppliers and those providing services under a contract with the school or local authority in their own premises.

2.5 This procedure should be used to raise serious concerns within the school, nursery or local authority, which are in the public interest where an individual genuinely feels there is evidence of malpractice, impropriety or wrongdoing within the school, nursery or local authority or by others acting on behalf of the school, nursery or local authority. This procedure is not intended to replace existing complaints procedures or normal work communication channels for routine issues that may arise from day to day business. Other complaints procedures should be considered before making a whistle blowing complaint. The Whistle Blowing policy is not an appeal mechanism for other procedures.

2.6 This Code is a policy of the local authority, approved by representatives of the recognised trade unions and has been agreed by the governing body of The Federation. This Procedure does not form a collective agreement and does not form part of employees' contracts of employment.

3. Aims and scope of this procedure

3.1 The Whistle Blowing Procedure aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues for you to raise those concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- Provide protection from possible reprisals or victimisation where the person making the disclosure believes that the information available tends to show malpractice and the disclosure is made to the appropriate person or body.

3.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment or raise other concerns. The Whistle Blowing Procedure is intended to cover major concerns that fall outside the scope of other procedures <u>or</u> where a procedure exists but you believe management may be involved or are not taking an issue raised seriously. Issues that could be covered by the Whistle Blowing Procedure include, but not limited to:

- Conduct which is an offence or a breach of law (Criminal offences and failures to comply with legal obligations);
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- The unauthorised use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of clients;
- Other unethical conduct;
- Institutional racism; or
- Action to conceal any of the above.

3.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of school employees, officers or members of the Local Authority or others acting on behalf of the Local Authority can be reported under the Whistle Blowing Procedure. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Local Authority subscribes to;
- Is against the Local Authority's Standing Orders, local authority's or The Federation's policies
- Falls below established standards of practice; or
- Amounts to improper conduct.

3.4 Where other procedures exist they should be considered before making a whistle blowing complaint. For example:

- Complaints about your employment - these should be dealt with through The Federation's Grievance Procedure;
- Concerns about the sexual or physical abuse of clients – such concerns should be referred via the Safeguarding Adults Procedure through Adult Services for concerns about adults or through the Child Protection Procedure through Children's Integrated Services for concerns about children;
- Customer complaints about our services - these are dealt with through The Federation's Complaints Procedure;
- Allegations against the Local Authority - these are dealt with by the City Council's Monitoring Officer.

Obviously, as with any other citizen, you may also report apparent criminality to the police in parallel with any of the above procedures. If the police do become involved in an investigation their requirements of the school, nursery and the Local Authority are likely to take precedence over the above procedures and this whistleblowing procedure.

4. Safeguards and support

4.1 The Federation and the Local Authority are committed to the highest standards of openness, probity and accountability. The Federation and the Local Authority aim to promote a culture in which employees feel they can raise genuine concerns without fear of subsequent victimisation, discrimination or disadvantage.

4.2 Neither the Federation nor the Local Authority will tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect and support you.

4.3 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4.4 Subject to any legal constraints the person to whom you made the complaint, or their nominated representative, will keep you informed of progress in relation to your complaint, the investigation etc.

5. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, you should appreciate that the investigation process may reveal the source of information and a statement by you may be required as part of the evidence. At the appropriate time, you may need to come forward as a witness.

6. Anonymous allegations

6.1 This procedure encourages you to put your name to your allegation whenever possible. We very much hope that the assurances we give in this policy will encourage you to disclose your identity to those who need to know it.

6.2 Concerns expressed anonymously are less powerful and much more difficult to investigate but will be considered at the discretion of the Governing Body of the school, or in the case of disclosures regarding the Local Authority, the Monitoring

Officer in consultation with the Chair of the Standards Committee for the Local Authority.

6.3 In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern;
- The likelihood of confirming the allegation from attributable sources;
- The level of detail given to allow the complaint to be investigated.

7. Untrue allegations

If you make an allegation, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

8. How to raise a concern

8.1 The earlier you express the concern and the higher the level of detail the easier it is to take action.

8.2 As a first step, you should normally raise concerns with your immediate manager or the headteachers. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example:

- If you believe that management is involved or the issue is sufficiently serious, you should approach the Governing Body of the school;
- If your concern relates to matters involving the Governing Body you should raise your concern with the Monitoring Officer (Director of Legal and Governance and Monitoring Officer) or you can contact the Council's Internal Audit Section (Audit Manager);
- In the case of concerns relating to the Local Authority you should raise your concerns with the Monitoring Officer.

8.3 Line managers and the Governing Body receiving complaints (including school or nursery related matters) must inform the Monitoring Officer so that the complaint can be recorded.

8.4 If you wish to raise a concern relating to something in the Monitoring Officer's area of work then this should be addressed to the Corporate Director, Finance & Resources.

8.5 If you wish to raise a concern about a third party, e.g. a contractor, you should either raise it with the Governing Body or the third party themselves.

8.6 Concerns may be raised verbally but are best raised in writing. When making a written disclosure the following format is suggested:

- Your name and contact details
- The background and history of the concern (giving relevant dates, names, places etc.);
- The reason why you are particularly concerned about the situation;

- Explain what evidence exists or how evidence of the complaint can be obtained
- Provide details of who you have spoken to so far about your concerns
- The fact that you are raising this concern as a whistle blowing complaint.

8.7 Written details should be e-mailed to Audit.Services@nottinghamcity.gov.uk The complaint will be passed to the Monitoring Officer to make an initial assessment, to decide upon how the concerns should be treated and to acknowledge receipt.

8.8 When raising a concern you will not be expected to provide proof beyond reasonable doubt of an allegation, but you will need to be able to demonstrate that there are reasonable grounds for the concerns raised. Where possible notes should be kept of what you have seen, heard or felt. Notes should be dated and copies of all relevant information kept.

8.8 You may wish to obtain advice/guidance on how to pursue matters of concern or generally on the whistle blowing process. Advice can be obtained from the Monitoring Officer (Director of Legal and Governance), Internal Audit (Audit Manager) or the Director of Human Resources and Customer.

8.9 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns but do be mindful of confidentiality issues.

8.10 You may invite your trade union, professional/association representative or a work colleague to be present during any meetings or interviews in connection with the concerns you have raised.

8.11 You need to be aware that your colleagues are bound by the same obligations as you relating to confidential information. If you share confidential information with union reps, professional associations or others with a view to using this procedure you will need to be careful that the confidential information is not used inappropriately. The Public Interest Disclosure Act gives protection only where certain information is disclosed in the course of obtaining legal advice. Therefore when seeking such advice, you should ensure that confidential information is not passed on to third parties. Check with the Monitoring Officer or Internal Audit (Audit Manager) or the Director of HR and Customer about this issue.

9. Whistle blowing complaints received by managers or HR colleagues

9.1 When receiving complaints, managers and HR colleagues should always consider the possibility that they might be presented with a whistle blowing issue and should remember that whistle blowing complaints have to be dealt with via a separate process.

9.2 Line Managers or HR colleagues who are made aware of possible whistle blowing complaints must in the first place seek advice from the Monitoring Officer or Internal Audit (Audit Manager) so that the complaint can be considered and a decision made on how to proceed.

9.3 All whistle blowing complaints will be recorded and monitored by the Monitoring Officer who is assisted by Internal Audit (Audit Manager).

10. How the school/Local Authority will respond

10.1 Line Managers receiving complaints or HR colleagues who are made aware of such complaints must inform the Monitoring Officer or Internal Audit so that the complaint can be recorded.

10.2 Within ten working days of a concern being raised, the person receiving the complaint (i.e. your line manager or the Monitoring Officer or their designated representative) will write to you:

- Acknowledging that the concern has been received;
- Indicating how we propose to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Telling you whether any initial enquiries have been made;
- Supplying you with information on colleague support mechanisms, and
- Telling you whether further investigations will take place and if not, why not.

10.3 Where appropriate, the matters raised may:

- Be investigated by management, an appropriately trained investigator, internal audit, or through another appropriate procedure;
- Be referred to the police;
- Be referred to the external auditor;
- Form the subject of an independent inquiry.

10.4 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which The Federation/Local Authority will have in mind, is the public interest but will balance this with its duty of care to its employees. Concerns or allegations that fall within the scope of other specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

10.5 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

10.6 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school/Local Authority will seek further information from you and throughout any investigation will try to keep you informed of what is happening, subject to any legal constraints.

10.7 Where any meeting is arranged, off-site if you wish, you can be accompanied by a union or professional association representative or a work colleague.

10.8 The Federation/Local Authority will take steps to minimise any difficulties that you may experience because of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings The Federation/Local Authority will arrange for you to receive advice about the procedure.

10.9 The Federation/Local Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, your line manager or

the Monitoring Officer or their designated representative will inform you of the outcome of any investigation at the end of the case.

11. The Responsible Officer

The Monitoring Officer has overall responsibility for the maintenance and operation of this procedure and will inform governing bodies of any recommended changes. The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report on an annual basis to the Standards Committee of the Local Authority.

12. How the matter can be taken further

12.1 If you are unsure about whether to follow the Federation's Whistle Blowing Policy, or you want further independent advice, you may contact Protect. This is a charity, completely independent of The Federation or Local Authority, which specialises in providing free and confidential legal advice on how to raise a concern about serious malpractice at work. Protect will also help to advise you on whether a circumstance can be properly reported to an additional outside body such as the Police.

Protect can be contacted as follows - Telephone: 020 3117 2520; Fax: 020 7403 8823; Email: whistle@protect-advice.org.uk; Website: https://protect-advice.org.uk

12.2 In certain circumstances the Public Interest Disclosure Act 1998 provides protection to employees who make disclosures outside the organisation. We hope you will be satisfied with any action we take. If you are not and want to take the matter outside the Local Authority you could contact:

- The Council's external auditor
- Your trade union
- Your legal adviser
- Your MP
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- A relevant voluntary organisation
- The Police
- The Health & Safety Executive
- The Office for Environmental Protection

12.3 In addition, an employee may consider a disclosure to other external bodies but only if certain strict conditions are met. A full list of external bodies who can receive disclosures is available at the following website Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk) or search online for "who can I make a whistleblowing complaint to? gov.uk".

12.4 Under the 1998 Act, employees making "protected disclosures" are protected from detrimental action, unfair dismissal and redundancy, and can complain to an employment tribunal.

12.5 The Procedure additionally covers any conduct not included above which is of an unethical nature. In these circumstances The Federation/Local Authority undertakes to provide the same protection as set out in paragraph 4 above. However, you

would not necessarily be protected by PIDA and you may want to take separate advice on that, for example by contacting Public Concern at Work.

12.6 If you do take the matter outside The Federation/Local Authority, you should ensure that you do not disclose confidential information. Check with the Monitoring Officer or the Strategic Director of Finance, Internal Audit or the Director of HR and Transformation about this issue.